

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ALEXANDRA CANOSA,

Plaintiff,

-v-

HARVEY WEINSTEIN, THE WEINSTEIN COMPANY  
HOLDINGS, LLC, and THE WEINSTEIN COMPANY,  
LLC,

Defendants.

18 Civ. 4115 (PAE)

ORDER

PAUL A. ENGELMAYER, District Judge:

The Court has reviewed, *in camera*, the medical records of defendant Harvey Weinstein, whom plaintiff Alexandra Canosa seeks to depose at this time. Dkt. 77. Because the medical records pre-date Mr. Weinstein's incarceration, they are not conclusive as to his present medical condition. They nonetheless raise sufficient questions as to Mr. Weinstein's fitness to sit for a deposition as to warrant, before such a deposition were to occur, an updated medical assessment of his condition. The Court accordingly will not require Mr. Weinstein to sit for a deposition during the month of March. The Court understands that Ms. Canosa is determining whether to accept a settlement as proposed by the Bankruptcy Court or to continue with this litigation and that as of February 4, 2021, she has not yet been served with the "Long Form Proof of Claim," which starts the process for evaluating and quantifying her claims. *See* Dkt. 286 ¶ 11 (declaration of Thomas P. Giuffra). Should this litigation continue, Ms. Canosa will be at liberty to pursue Mr. Weinstein's deposition upon an updated medical examination. Assuming Mr. Weinstein were found fit to sit for a deposition, the Court would then consider, if renewed, Mr.

Weinstein's separate argument to defer the deposition, or limit the scope of questioning, based on his intent to assert his Fifth Amendment rights.

SO ORDERED.

A handwritten signature in blue ink that reads "Paul A. Engelmayer". The signature is written in a cursive, flowing style.

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PAUL A. ENGELMAYER  
United States District Judge

Dated: February 24, 2021  
New York, New York